



Journal of the Senate

Number 8—Regular Session

Thursday, March 27, 2008

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—38:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Excused: Senators Dawson and Wilson

PRAYER

The following prayer was offered by the Rev. William Holt Liptrot, Jr., Bethel A.M.E. Church, Tallahassee:

"It's me, it's me, it's me O Lord, standing in the need of prayer. It's me, it's me, it's me O Lord, standing in the need of prayer."

Today, we reaffirm the American ideals of freedom, justice, and opportunity for all. God of all, let this day be a day of love and not hate, for understanding and not anger. May we share together, and reach across party lines and mend broken relationships. May we rid ourselves of the barriers which divide us and come together as one. May people of all religions, classes and stations in life put aside differences and join in the spirit of togetherness.

This day awaken in us the best qualities of the American spirit. Allow this State of Florida to demonstrate that peace is not just a dream, but a real possibility. If only for a day, if only one day, each of us serves as a Floridian for justice and peace, then we will bring to life the inspiring vision of our foreparents on whose shoulders we stand.

On this day, may we have the strength of Harriet Tubman, the tenacity of Sojourner Truth, the intelligence of Frederick Douglass, the courage of Booker T. Washington, the creativity of President Lyndon Baines

Johnson, the relationships of Mary McLeod Bethune, the speech of President Ronald Wilson Reagan, the spirituality of Howard Thurman and Benjamin Elijah Mays, and the boldness of our sons and daughters who stand in harm's way protecting us in Afghanistan and Iraq.

And when this happens, and we allow "freedom to ring", let it ring from the Senate Chamber to the House of Representatives, from every city in the State of Florida, we will be able to speed up the day when all of God's children . . . will be able to join hands and sing . . . "Free at last! Free at last! Thank God Almighty, we are free at last."

And to you, O God, to thee be honor and glory, now and forever and ever. Amen.

PLEDGE

Senate Pages Crystal Joseph of Lakeland; Dara Silverman of Miami; O'Brian Safford of Quincy; and Victoria Underwood of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Senator Peaden, as doctor of the day.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

By Senators Rich, Pruitt, Alexander, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Dean, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Ring, Saunders, Siplin, Storms, Villalobos, Webster and Wise—

SR 2922—A resolution recognizing the 60th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States, the State of Florida, and Israel.

WHEREAS, 2008 marks the 60th anniversary of the founding of the modern Jewish State of Israel, and

WHEREAS, on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine and, through that vote, to create the State of Israel, and

WHEREAS, officially declared an independent nation on May 14, 1948, Israel plans a series of events to celebrate its Diamond Jubilee, which began on November 29, 2007, the 60th anniversary of the vote on the Partition Plan, and

WHEREAS, the desire of the Jewish people to establish an independent modern State of Israel is the outgrowth of the existence of the historic Kingdom of Israel established 3,000 years ago in the city of Jerusalem and in the land of Israel, and

WHEREAS, a century ago at the First Zionist Congress in Basel, Switzerland, participants under the leadership of Theodore Herzl affirmed the desire to reestablish a Jewish homeland in the historic land of Israel, and

WHEREAS, in its 60 years of existence, Israel has become the most successful democracy in the Middle East, and its citizens enjoy one of the highest standards of living in the region, and

WHEREAS, born in the ashes of the Holocaust, Israel has from its inception faced the hostility, and frequently the armed aggression, of its neighbors, and

WHEREAS, since its establishment 60 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, terrorism, international ostracism, and economic boycotts, and

WHEREAS, despite difficult and often dangerous circumstances, Israel has prospered, blessed with a succession of great leaders from David Ben-Gurion and Golda Meir to Menachem Begin and Yitzhak Rabin, and

WHEREAS, Israel continues to strive for peace with security and dignity for themselves and their neighbors, and

WHEREAS, the connection between the State of Florida and Israel is reflected by the support of the Florida Israel Institute as well as other cultural and business exchanges, and

WHEREAS, today cities throughout Florida have Sister City and Partnership 2000 relationships with cities in Israel, and

WHEREAS, with the anniversary observance taking place throughout the year, Israel will celebrate its anniversary with events marking the birth and development of the state, the struggle to find peace and security, and its hopes for the future, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the historic significance of the 60th anniversary of the reestablishment of the sovereign and independent modern State of Israel; commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East; reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for six decades and which have been significant for both countries; recommits to working with Israel to ensure its security in its quest for peace with its neighbors and the countries in the region; and extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous, and successful future.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Israeli Ambassador Sallai Meridor as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Rich, **SR 2922** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Rich introduced Ofer Bauly, Consul General of Israel and Diego Echeverri, Director of Economic and Political Affairs who were present in the chamber.

SPECIAL RECOGNITION

Senator Carlton introduced Grace Nelson, wife of U.S. Senator Bill Nelson, who was present in the gallery.

The President introduced U.S. Senator Bill Nelson who was escorted to the well for brief comments. The President presented Senator Nelson with an insignia of the Florida Senate.

On motion by Senator Storms—

By Senator Storms—

SR 2004—A resolution recognizing April 2008 as “Swimming Pool Safety Month.”

WHEREAS, the State of Florida has more than one million swimming pools, over 37,000 of which are public facilities regulated by the Department of Health, and

WHEREAS, residential and commercial swimming pools and spas add to the enjoyment, quality of life, and health of the state’s residents and visitors, and

WHEREAS, swimming pools and spas are recreational facilities promoting the social gathering of families and friends in a large percentage of Florida residences, and

WHEREAS, Florida hotels and condominiums have thousands of swimming pools, spas, and wading pools used by even more visitors and guests, and

WHEREAS, the education of building code and health department officials, swimming pool designers and contractors, and pool owners is paramount to ensuring pool safety, and

WHEREAS, the Virginia Graeme Baker Pool & Spa Safety Act was recently signed into law by the President of the United States, providing mandatory safety measures for public pool facilities, incentive programs concerning residential pools, and overall outreach and education on swimming pool safety, and

WHEREAS, a new national consensus safety standard, ANSI/APSP 7 Suction Entrapment Avoidance, was developed in accordance with the American National Standards Institute, and adopted by the Florida Building Commission, making the State of Florida a leader in preventing serious injury from entrapment, and

WHEREAS, chapter 515, Florida Statutes, is the Residential Swimming Pool Safety Act that focuses on backyard pool safety and the prevention of drowning, and

WHEREAS, the Florida Swimming Pool Association and the Florida Department of Health’s Office of Injury Prevention are co-hosting the 2008 Swimming Pool and Water Safety Forum to increase safety awareness among consumers, pool industry representatives, and government officials, and

WHEREAS, the Florida Swimming Pool Association continues to promote safety messages to consumers and strives to educate the pool industry on correct safety measures regarding barriers, entrapment, and child supervision through classes, informative brochures, and the new FSPA Safety Program, and

WHEREAS, swimming pool and spa injuries and accidents can be prevented through the responsible behavior and preventative actions of swimmers, pool owners, and those responsible for the facilities, and

WHEREAS, mass media communications concerning swimming pool and spa safety during the peak period of use by consumers can create increased safety awareness and promote the installation and use of safety devices, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 2008 as “Swimming Pool Safety Month” and encourages support from the media and other organizations in advocating practices of pool safety and providing information to the public.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 2004** was read the second time in full and adopted.

At the request of Senator Wise—

By Senators Wise and Lynn—

SR 2282—A resolution recognizing Clay County and the accomplishments of its residents since its establishment in 1858 and celebrating the County’s Anniversary Celebration Day, May 10, 2008.

WHEREAS, the first permanent European farmers, tradesmen, and businessmen first settled along the banks of the St. Johns River, Doctors Lake, and Black Creek in 1763, lands continuously inhabited since then under the various flags of Great Britain, Spain, and the United States, and

WHEREAS, during the fall of 1858, the residents of Middleburg, Clay Hill, and Magnolia Springs signed a petition to form a new county, and

John G. Smith, the representative for the area, helped to craft and guide through the Florida Legislature the formation of a new county to be called Clay in honor of Henry Clay, whose Whig ideals were popular with the residents, and

WHEREAS, on December 31, 1858, Governor Madison Starke Perry signed into law the establishment of the new county, whose residents voted to make Middleburg the first county seat, and

WHEREAS, in the postwar period, Clay County residents banded together to rebuild the county and promote tourism along the St. Johns River with magnificent hotels such as the Magnolia Springs Hotel, The Park View Hotel, The Clarendon, The Union Hotel, and The St. Clair, and

WHEREAS, Francis P. Fleming and William S. Jennings, two sons of Clay County, rose to become governors of the state, and residents of Clay County have achieved prominence in various fields, including Marine Corps General Roy S. Geiger in Military Service; Charles Merrell, James Cash Penney, and Paul E. Reinhold in Business; Primatologist Robert Yerkes, founder of the Yerkes Primate Lab (Orange Park, Florida), in Psychology; Augusta Savage in Art; and Slim Whitman and Lynyrd Skynyrd in Music, and

WHEREAS, the county's population growth over the years led to the incorporation of the towns of Green Cove Springs in 1874, Orange Park in 1877, Keystone Heights in 1925, and Penney Farms in 1927, and

WHEREAS, during the Great Depression, Clay County residents were employed by the Civilian Conservation Corps and built Gold Head Branch State Park, one of the first state parks in Florida, and

WHEREAS, the United States military has established military posts and airfields in Clay County since 1836 including Fort Heileman in 1836, Fort Number 11 in 1839, Fort Van Cortlandt in 1839, Magnolia Springs in 1864, Camp Blanding in 1939, and Lee Airfield in 1941, and

WHEREAS, the military trained more than 800,000 soldiers at Camp Blanding during World War II and Clay County residents are currently involved in fighting the War on Terror, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes and honors the achievements of Clay County residents and the significance of the roles they have played in the history of Florida and the United States of America, and joins Clay County in celebrating its Anniversary Celebration Day, May 10, 2008.

—**SR 2282** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2892—A resolution recognizing the Riverdale High School Raiders Wrestling Team as winners of the 2008 Florida State High School Athletic Association Class A State Championship.

WHEREAS, the Riverdale High School Raiders Wrestling Team under the leadership of Coach Kris Hayward earned the 2008 Florida State High School Athletic Association Class A State Championship and achieved five state individual titles during the competition, and

WHEREAS, outstanding skill, sportsmanship, and competitiveness have been characteristic of Raider teammates Jack Gunn, Dusty Fellows, Mikah Fellows, Scotti Sentes, and Aron Sanchez, and

WHEREAS, Scotti Sentes earned a fourth consecutive state championship title in the 125-pound class making him the eighth four-time champion in state history and the first four-time champion from Southwest Florida, and

WHEREAS, Jack Gunn produced an individual title in the 275-pound class, and

WHEREAS, Dusty Fellows earned an individual title in the 145-pound class, and

WHEREAS, Mikah Fellows captured an individual title in the 140-pound class, and

WHEREAS, Aron Sanchez took the individual title in the 135-pound class, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends the Riverdale High School Raiders Wrestling Team for the honor and pride they have brought to this state by their outstanding dedication and performance as athletes.

BE IT FURTHER RESOLVED that a copy of the resolution, with the Seal of the Senate affixed, be presented to the Riverdale High School Wrestling Team as a tangible token of the sentiments of the Florida Senate.

—**SR 2892** was introduced, read and adopted by publication.

BILLS ON THIRD READING

SENATOR BENNETT PRESIDING

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 526** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Alexander	Gaetz	Oelrich
Aronberg	Garcia	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Diaz de la Portilla	Lawson	Webster
Dockery	Lynn	Wise

Nays—2

Bullard	Deutch
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CS for CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to require the Commissioner of Education to hold a bachelor's degree or a higher academic degree, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System, to establish the Florida College System, to provide for a local board of trustees to govern each institution in the Florida College System, to provide for the Florida College Board, and to provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election:

ARTICLE IV

EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, ~~and a commissioner of agriculture, and a commissioner of education.~~ In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting or has affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as otherwise provided by general law.

(c) The chief financial officer shall serve as the chief fiscal officer of the state, and shall settle and approve accounts against the state, and shall keep all state funds and securities.

(d) The commissioner of agriculture shall have supervision of matters pertaining to agriculture except as otherwise provided by law.

(e) *The commissioner of education shall supervise the public education system in a manner prescribed by law, except as otherwise provided in this constitution. The commissioner of education must have earned a bachelor's degree or a higher academic degree.*

(f)(e) The governor as chair, the chief financial officer, and the attorney general shall constitute the state board of administration, which shall succeed to all the power, control, and authority of the state board of administration established pursuant to Article IX, Section 16 of the Constitution of 1885, and which shall continue as a body at least for the life of Article XII, Section 9(c).

(g)(f) The governor as chair, the chief financial officer, the attorney general, ~~and the commissioner of agriculture, and the commissioner of education~~ shall constitute the trustees of the internal improvement trust fund and the land acquisition trust fund as provided by law.

(h)(g) The governor as chair, the chief financial officer, the attorney general, ~~and the commissioner of agriculture, and the commissioner of education~~ shall constitute the agency head of the Department of Law Enforcement.

ARTICLE IX

EDUCATION

SECTION 2. State board of education.—*The governor and the members of the cabinet shall constitute the state board of education, which shall be a body corporate and have such supervision of the public education system as is provided by law. The state board of education shall be a body corporate and have such supervision of the system of free public education as is provided by law. The state board of education shall consist of seven members appointed by the governor to staggered 4-year terms, subject to confirmation by the senate. The state board of education shall appoint the commissioner of education.*

SECTION 7. State university system.—

(a) PURPOSES. In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida's citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) STATE UNIVERSITY SYSTEM. There shall be a single state university system comprised of all public universities. ~~A board of trustees shall administer each public university and a board of governors shall govern the state university system.~~

(c) LOCAL BOARDS OF TRUSTEES. Each ~~public local constituent~~ university shall be administered by a board of trustees *as provided by law consisting of thirteen members dedicated to the purposes of the state university system.* The board of governors shall establish the powers and duties of the boards of trustees. Each board of trustees shall consist of ~~eleven~~ six citizen members appointed by the governor ~~and five citizen members appointed by the board of governors.~~ The appointed members shall be confirmed by the senate and serve staggered terms of five years as provided by law. The chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

(d) STATEWIDE BOARD OF GOVERNORS. The board of governors shall ~~administer the state be a body corporate consisting of seventeen members. The board shall operate, regulate, control, and be fully responsible for the management of the whole university system as provided by law.~~ These responsibilities shall include, but not be limited to, ~~defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs.~~ The board's management shall be subject to the powers of the legislature to appropriate for the expenditure of funds, and the board shall account for such expenditures ~~as provided by law.~~ The governor shall appoint to the board ~~six~~ fourteen citizens dedicated to the purposes of the state university system. The appointed members shall be confirmed by the senate and serve staggered terms of ~~four~~ seven years as provided by law. The commissioner of education, the chair of the advisory council of faculty senates, or the equivalent, and the president of the Florida student association, or the equivalent, shall also be members of the board.

SECTION 8. Florida college system.—

(a) PURPOSES. In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the people hereby establish a system of governance for the Florida college system.

(b) FLORIDA COLLEGE SYSTEM. There shall be a single Florida college system comprised of two-year and four-year public postsecondary educational institutions that grant academic degrees at the undergraduate level as provided by law. An institution within the Florida college system may not offer graduate degree programs.

(c) LOCAL BOARDS OF TRUSTEES. Each institution within the Florida college system shall be governed by a local board of trustees as provided by law. The membership of each local board of trustees shall be as provided by law.

(d) FLORIDA COLLEGE BOARD. The Florida college board shall oversee and coordinate the Florida college system as provided by law. The governor shall appoint to the board six citizens dedicated to the purposes of the Florida college system. The appointed members shall be confirmed by the senate and serve staggered terms of four years as provided by law. The commissioner of education shall also be a member of the board.

ARTICLE XII

SCHEDULE

Cabinet, state board of education, elected commissioner of education, state university system, and Florida college system.—

(a) The amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX and the creation of Section 8 of Article IX, which create a cabinet position for an elected commissioner of education to supervise the public education system as provided by law, require the commissioner of education to have earned a bachelor's degree or a higher academic degree, revise the membership of the state board of education to consist of the governor and the cabinet, revise the manner of appointment for members of the local boards of trustees for the state university system, revise the membership, terms, and duties of the statewide board of governors, and establish the Florida college system, and this section, if submitted to the electors of this state for approval or rejection at the next general election and if approved, shall take effect July 1 of the year following such general election.

(b) *On the effective date of these amendments, the terms of the members serving on the state board of education and the statewide board of governors and the term of the commissioner of education shall expire. The term of a member of a local board of trustees shall not expire on the effective date of these amendments, but the term shall expire at the end of the term for which the member was originally appointed.*

(c) *On the effective date of these amendments, the governor and cabinet shall appoint a commissioner of education to serve until a commissioner of education is elected in the next general election following the adoption of these amendments.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENTS

ARTICLE IV, SECTION 4

ARTICLE IX, SECTIONS 2, 7, AND 8

ARTICLE XII

RESTRUCTURING THE STATE CABINET; ELECTED COMMISSIONER OF EDUCATION; RESTRUCTURING THE LOCAL BOARDS OF TRUSTEES AND THE STATEWIDE BOARD OF GOVERNORS OF THE STATE UNIVERSITY SYSTEM; ESTABLISHING THE FLORIDA COLLEGE SYSTEM.—Proposing amendments to the State Constitution which will create an elected Commissioner of Education who will be a member of the Cabinet and will be responsible for the supervision of public education as provided by law; require the Commissioner of Education to hold a bachelor's degree or a higher academic degree; include the Commissioner of Education with other Cabinet members as a trustee of the Internal Improvement Trust Fund and the Land Acquisition Trust Fund and as agency head of the Department of Law Enforcement; eliminate an appointed State Board of Education and replace the board with the Governor and the Cabinet; provide that the State Board of Education will be responsible for the supervision of public education as provided by law; establish the Florida College System comprised of 2-year and 4-year public postsecondary educational institutions that grant academic degrees at the undergraduate level as provided by law; provide for the governance of each institution within the Florida College System by a local board of trustees as provided by law; provide that the Florida College Board, which shall be comprised of the Commissioner of Education and six citizens appointed by the Governor and confirmed by the Senate, shall oversee and coordinate the Florida College System as provided by law; revise the membership of the local boards of trustees by eliminating the authority of the statewide Board of Governors to appoint members; provide that the authority and duties of the local boards of trustees shall be as provided by law; revise the membership of the statewide Board of Governors by reducing the number of appointed members and their terms; provide that the authority of the statewide Board of Governors to administer the State University System shall be as provided by law; provide that the terms of the currently appointed members of the State Board of Education and the statewide Board of Governors and the term of the currently appointed Commissioner of Education shall expire July 1 of the year following the adoption of these amendments in the next general election; provide that the term of a member of a local board of trustees shall expire at the end of the term for which the member was originally appointed; provide for the appointment of a Commissioner of Education by the Governor and Cabinet until a Commissioner of Education is elected in the next general election following the adoption of these amendments; and provide that these amendments shall take effect July 1 of the year following the next general election.

—was read the third time in full.

On motion by Senator Carlton, **CS for CS for SJR 2308** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dean
Atwater	Carlton	Deutch

Dockery	Jones	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Peaden	Webster
Hill	Posey	Wise

Nays—4

Joyner	Oelrich	Rich
Justice		

Vote after roll call:

Yea—Diaz de la Portilla

CS for SB 646—A bill to be entitled An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 646** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

CS for CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term “adverse incident”; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for CS for SB 686** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine

Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wise
Haridopolos	Peaden	
Nays—None		

CS for CS for SB 696—A bill to be entitled An act relating to community colleges; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; prohibiting a board of trustees from securing or repaying such debt using tuition or certain other revenues; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to the pledge of fee revenues to the repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; providing for limitation of actions; amending s. 1000.21, F.S.; renaming Daytona Beach Community College as “Daytona Beach College” and renaming Indian River Community College as “Indian River College”; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for CS for SB 696** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Nays—None		

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from

requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 1652** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Nays—None		

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false

report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for CS for SB 1712** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett

Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wise
Garcia	Oelrich	

Nays—None

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

—as amended March 26 was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 1906** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S., relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 1908** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

SPECIAL ORDER CALENDAR

By Senator Fasano—

CS for SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring that commodities or services for the system be procured by competitive solicitation or from a state term contract; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1026** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 966** was placed on the calendar of Bills on Third Reading.

By Senator Hill—

CS for SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 732** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 874—A bill to be entitled An act relating to title loans; amending s. 537.002, F.S.; clarifying that ch. 537, F.S., the Florida Title Loan Act, regulates title loans to consumers; amending s. 537.003, F.S.; defining the term “consumer” for purposes of ch. 537, F.S.; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 874** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term “temporary help firm” to include a labor pool; redefining the term “temporary employee” to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; requiring the labor pool to provide written notice to the temporary employee regarding the availability of work and reassignment; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 854** was placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Honorable Ken Pruitt
President, The Florida Senate

March 27, 2008

Dear President Pruitt:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy		
Appointees:	Carroll, Frederick III	10/31/2010
	Quinlan, John V.	10/31/2010
	Tipton, David C.	10/31/2010
Board of Architecture and Interior Design		
Appointees:	Gozdz, Wanda E.	10/31/2008
	Grigsby, Mary Jane	10/31/2009
	Kuritzky, Eric D.	10/31/2010
Florida Board of Auctioneers		
Appointees:	Dietrich, Hugh Fred III	10/31/2010
	Shearer, Donald L.	10/31/2009
Florida Building Code Administrators and Inspectors Board		
Appointees:	Gathright, Richard	10/31/2010
	McCormick, Robert S.	10/31/2009
Florida Building Commission		
Appointees:	Browdy, Richard S.	01/21/2011
	Carlton, Matthew L.	02/11/2009
Board of Chiropractic Medicine		
Appointee:	Jenkins, Gene E., Jr.	10/31/2010
Florida Citrus Commission		
Appointees:	Carrere, Michael L.	05/31/2010
	Carter, E. Stanley	05/31/2010
	Haycock, Michael W.	05/31/2010
	Taylor, Michael O.	05/31/2010
Hillsborough County Civil Service Board		
Appointees:	Bruno, Christine K.	07/02/2011
	Mitchell, Robert M.	07/02/2011
	Spencer, Patricia	07/02/2011
Board of Clinical Laboratory Personnel		
Appointees:	Bertholf, Roger L.	10/31/2010
	Seay, Pamela A.	10/31/2008
	Van Der Heyden, Brenda	10/31/2010
Regulatory Council of Community Association Managers		
Appointees:	Benson, Mark R.	10/31/2008
	Brown, Millard “Chris” H.	10/31/2009
	Czonstka, Steven J.	10/31/2010
Florida Communities Trust		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointee: Stanbridge, Ruth	01/31/2011	Harner, Stephen L.	05/31/2011
Board of Trustees of Brevard Community College		Kelly, Susan Miller	05/31/2010
Appointee: Wilson, Alberta K.	05/31/2011	Robinson, Christine S.	05/31/2010
Board of Trustees of Broward Community College		Board of Trustees of Miami-Dade College	
Appointee: Guerin, Sean C.	05/31/2011	Appointees: Fernandez, Robert H.	05/31/2011
Board of Trustees of Central Florida Community College		Roulhac, Peter W.	05/31/2011
Appointees: Little, Bernard L., Jr.	05/31/2011	Board of Trustees of North Florida Community College	
Pool, Cory	05/31/2010	Appointees: Gibson, Linda F.	05/31/2010
Runnels-Sullivan, Carol	05/31/2010	Helvenston, Brantly "B.W." W.	05/31/2010
Strifler, Betty	05/31/2011	Land, Debra B.	05/31/2009
Board of Trustees of Chipola College		Maultsby, John, Jr.	05/31/2011
Appointees: Clark, Gary F.	05/31/2011	Padgett, Lester D.	05/31/2011
Crawford, Jeff, Jr.	05/31/2011	Thomas, Albert, Jr.	05/31/2011
Jones, Robert Lewis	05/31/2011	Board of Trustees of Okaloosa-Walton College	
Padgett, John W.	05/31/2010	Appointees: Pennington, Brian S.	05/31/2011
Page, Jan L.	05/31/2011	Rice, Dale E., Jr.	05/31/2010
Plummer, Mark S.	05/31/2010	Sims, Sandra F.	05/31/2011
Board of Trustees of Daytona Beach Community College		Board of Trustees of Palm Beach Community College	
Appointees: Davison, William H.	05/31/2011	Appointees: Berger, William	05/31/2011
Graham, John E., Jr.	05/31/2010	Link, Wendy S.	05/31/2011
Hosseini, Forough B.	05/31/2011	Board of Trustees of Pasco-Hernando Community College	
Miles, Steven G.	05/31/2011	Appointees: Gavish, Jeanne M.	05/31/2010
Petrock, Joseph C.	05/31/2011	Homer, Irvin	05/31/2011
Schatz, Edward E., Jr.	05/31/2010	Parker, Judy R.	05/31/2010
Board of Trustees of Edison College		Simpson, Wilton E.	05/31/2011
Appointees: Berlam, Ann E.	05/31/2009	Weightman, Thomas E.	05/31/2011
Mann, Mary Lee	05/31/2011	Worthley, Gary L.	05/31/2010
Board of Trustees of Florida Community College at Jacksonville		Board of Trustees of Pensacola Community College	
Appointees: Delaney, Kevin F.	05/31/2011	Appointees: Hunt, Luke	05/31/2011
McCollum, James E.	05/31/2011	Moore, Harold Edward, Jr.	05/31/2011
McGehee, Thomas R., Jr.	05/31/2011	Moore, Marjorie T.	05/31/2011
Yates, Gwendolyn C.	05/31/2009	Norris, Celeste L.	05/31/2010
Board of Trustees of Florida Keys Community College		Usry, Dona W.	05/31/2010
Appointees: Bassett, Kimberly	05/31/2011	Young, Deidre L.	05/31/2010
Scales, Edwin A. III	05/31/2010	Board of Trustees of Polk Community College	
Slate, Spencer C.	05/31/2010	Appointees: Littleton, Gregory A.	05/31/2011
Board of Trustees of Gulf Coast Community College		Roberts, Neriah E.	05/31/2011
Appointees: Isler, Charles S. III	05/31/2011	Board of Trustees of St. Johns River Community College	
Wood, Linda R.	05/31/2011	Appointees: Beck, Carl Clement, Jr.	05/31/2010
Board of Trustees of Hillsborough Community College		Lancaster, Larry R.	05/31/2010
Appointees: Coton, Daniel Mark	05/31/2011	Roberts, William W.	05/31/2011
Graham, Andrew L.	05/31/2010	Sloan, Preston B.	05/31/2010
Jurado, Rodrigo "Rod", Jr.	05/31/2010	Board of Trustees of St. Petersburg College	
Board of Trustees of Indian River Community College		Appointees: Bilirakis, Evelyn M.	05/31/2011
Appointees: Bols, Werner	05/31/2011	Burke, Kenneth P.	05/31/2011
Kirton, Cheryl L.	05/31/2010	Board of Trustees of Santa Fe Community College	
Patterson, Samuel L.	05/31/2011	Appointees: Mallini, George "G.T." T.	05/31/2011
Perez, Tomas Rene	05/31/2010	Solze, Richard C., Jr.	05/31/2010
Roberts, Jay Harold "Hal", Jr.	05/31/2010	Womack, Evelyn T.	05/31/2011
Syfrett, Linda T.	05/31/2010	Board of Trustees of Seminole Community College	
Board of Trustees of Lake City Community College		Appointees: Gregg, Charles W., Sr.	05/31/2011
Appointees: Brannan, Robert C. III	05/31/2011	Howat, Scott D.	05/31/2011
Kennedy, Donald R.	05/31/2010	Board of Trustees of South Florida Community College	
Surrency, James A.	05/31/2010	Appointees: Cullens, Tamela "Tami" C.	05/31/2010
Wall, Harriet	05/31/2010	DeLatorre, Gary	05/31/2010
Board of Trustees of Lake-Sumter Community College		Hartt, Joan H.	05/31/2010
Appointees: Bowersox, Richard P.	05/31/2011	Leidel, George David, Jr.	05/31/2011
Childers, Richard D.	05/31/2010	Maenpaa, Richard Lee	05/31/2011
Morris, Timothy "Tim"	05/31/2009	Reynolds, Anne D.	05/31/2011
Norman, Joe M.	05/31/2010	Board of Trustees of Tallahassee Community College	
Simpson, Jon A.	05/31/2011	Appointees: Messersmith, Frank S.	05/31/2010
Board of Trustees of Manatee Community College		Moore, Karen B.	05/31/2010
Appointees: Allen, Ronald J.	05/31/2011	Board of Trustees of Valencia Community College	
		Appointees: Cabrera-Morris, M. Bertica	05/31/2011

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Grulich, Maria	05/31/2009	Lauff, Samuel, Jr.	06/30/2010
Maguire, Raymer F. III	05/31/2010	Mulherin, Lynn	06/30/2008
Moore, Edward A.	05/31/2010	Rodgers, Judith "Judy" K.	06/30/2008
Oliver, Lewis M. III	05/31/2010		
Board of Cosmetology		Florida Inland Navigation District	
Appointee: Ramos, Rosabel	10/31/2010	Appointees: Colee, Donn R., Jr.	01/09/2011
		Crowley, T. Spencer	01/09/2011
Board of Trustees for the Florida School for the Deaf and the Blind		Mesiano, Michael D.	01/09/2011
Appointees: Dillon, Mary Jane	11/20/2009	Netts, Jonathan S.	01/09/2011
McCaul, Owen B.	12/10/2008	Sansom, Jerry H.	01/09/2011
Parrish, Herschel H., Jr.	11/07/2011		
Rojas, Maria Teresa	11/13/2009	Juvenile Welfare Board of Pinellas County	
Turner, Edgar M.	02/07/2011	Appointees: Lenderman, Martha R.	08/07/2010
Wagner, Christopher D.	11/19/2008	Sayler, Van C.	08/11/2010
Weedon, Gerald W.	11/14/2010	Smith, Joseph A.	08/11/2010
Board of Dentistry		National Conference of Commissioners on Uniform State Laws	
Appointees: Gainey, Elmira R.	10/31/2010	Appointees: Baena, Scott L.	06/05/2011
Gesek, Daniel J., Jr.	10/31/2010	Losego, Clinton R.	06/05/2011
Perdomo, Robert L. III	10/31/2008		
Winker, Wade G.	10/31/2010	Board of Nursing	
		Appointees: Bowen, Stephen W.	10/31/2010
Florida Development Finance Corporation		Kolb, Maria E.	10/31/2009
Appointee: Tesch, Peter J.	05/02/2010	Board of Orthotists and Prosthetists	
Florida Elections Commission, Chair		Appointees: Gingras, Ronald	10/31/2011
Appointee: Cruz-Bustillo, Jorge L.	01/03/2011	McCluney, Timothy H., Jr.	10/31/2008
		Mersch, Steven	10/31/2010
Electrical Contractors' Licensing Board		Board of Osteopathic Medicine	
Appointees: Bellemare, Pierre A.	10/31/2009	Appointees: Burns, Ronald R.	10/31/2010
Huff, Carey Reagan, Jr.	10/31/2009	Najjar, Tom	10/31/2009
Langer, Roger E.	10/31/2010	Rose, Joel B.	10/31/2010
Penner, Donald	10/31/2010		
Sandefur, Paul W.	10/31/2009	Board of Pilot Commissioners	
Thomas, Noel H.	10/31/2008	Appointees: Bohnsack, Frances M.	10/31/2009
Board of Employee Leasing Companies		Brandenburg, Harold A.	10/31/2009
Appointees: Parks, Gayla L.	10/31/2009	Fernandez, John R.	10/31/2010
Segal, Deborah	10/31/2010	Board of Podiatric Medicine	
Seltzer, Marjorie "Midge"	10/31/2010	Appointees: Pearce, Beth S.	10/31/2010
		Weisman, Sherwood A.	10/31/2010
Board of Professional Engineers		Tampa Port Authority	
Appointees: Burke, John C.	10/31/2010	Appointees: Dolan, Brian M.	02/06/2010
Hyder, Zafar	10/31/2010	Lindell, Carl, Jr.	11/14/2010
Commission on Ethics		Florida Real Estate Appraisal Board	
Appointees: Conahan, Linda A.	06/30/2009	Appointees: Rogers, Michael J.	10/31/2010
Massey, Albert Patton III	06/30/2009	Wright, Cynthia	10/31/2010
Rogers, Roy	06/30/2009		
Board of Professional Geologists		Florida Real Estate Commission	
Appointees: Cain, Matthew L.	10/31/2010	Appointees: DeNapoli, Richard L.	10/31/2009
Smith, Stuart	10/31/2010	McCoig, Ralph J., Jr.	10/31/2010
		Ruffier, John Daniel	10/31/2010
Council on Efficient Government		Apalachee Regional Planning Council, Region 2	
Appointees: Agrawal, Akhil K.	08/22/2009	Appointee: Grant, Henry G.	10/01/2009
Evans, Steven L.	08/22/2009		
Yandell, Timothy S.	08/22/2008	North Central Florida Regional Planning Council, Region 3	
Board of Hearing Aid Specialists		Appointees: Dodge, David L.	10/01/2009
Appointees: Fischer, John E.	10/31/2010	Smith, Andrew P.	10/01/2009
Hernandez, Maria G.	10/31/2010	Thomas, Lorene J.	10/01/2009
Pickard, Robert E.	10/31/2009		
Someillan, Joseph J.	10/31/2010	Northeast Florida Regional Planning Council, Region 4	
Board of Trustees of South Lake County Hospital District		Appointees: Barber, Margaret "Ginger" M.	10/01/2009
Appointee: Kesselring, Kasey C.	07/05/2011	Sgroi, Robert E.	10/01/2009
		Williams, Larry	10/01/2009
Florida Housing Finance Corporation		Williams, Thomas A.	10/01/2009
Appointees: Oellerich, David Ellis	11/13/2010	Withlacoochee Regional Planning Council, Region 5	
Scharaga, Stuart	11/13/2010	Appointees: Franklin, Thomas C.	10/01/2009
		Hanson, Martha M.	10/01/2010
Commission for Independent Education		Johnston, Joseph E. III	10/01/2010
Appointees: Bradley, Nancy M.	06/30/2009	Kelly, Edward J. V	10/01/2009
Crocitto, Peter F., Jr.	06/30/2010	Nowe, Clark Edward	10/01/2009
Knobel, David	06/30/2009	Selph, Walter E.	10/01/2009

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Trimpert, Eugene C. Wesch, Richard W.	10/01/2009 10/01/2009	Dennis, John V. Rooks, Albert "Bo" L., Jr.	03/01/2010 03/01/2010
East Central Florida Regional Planning Council, Region 6		The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:	
Appointees: Cubillos, Aileen Glover, Robert Alonza "Al" O'Keefe, Daniel T.	10/01/2009 10/01/2009 10/01/2009		
Tampa Bay Regional Planning Council, Region 8		<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Bittner, Linda Jane Kinsler, Angeleah C. Nunez, Andres E., Jr. Waller, Charles D.	10/01/2009 10/01/2009 10/01/2009 10/01/2009	Director, Office of Drug Control Appointee: Janes, William H.	Pleasure of Governor
Southwest Florida Regional Planning Council, Region 9		The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:	
Appointees: Farley, David Karau, Melvin E.	10/01/2009 10/01/2009		
Treasure Coast Regional Planning Council, Region 10			<i>For Term Ending</i>
Appointees: Caron, Susan Davenport, Laurence F., Jr. Foley, Kevin J.	10/01/2009 10/01/2009 10/01/2009	<i>Office and Appointment</i>	
South Florida Regional Planning Council, Region 11		Governing Board of the Northwest Florida Water Management District	
Appointees: Brook, Scott J. Walters, Sandra	10/01/2009 10/01/2009	Appointees: Ghazvini, Steve Norris, Michael Timothy "Tim" Pate, Jerome K.	03/01/2011 03/01/2011 03/01/2009
Jacksonville Port Authority			
Appointee: Fowler, Lloyd Buck	09/30/2011		
Space Florida		Governing Board of the South Florida Water Management District	
Appointees: Baker, Silas, Jr. Bogan, R. Van Davis, Jimmie Lee, Jr. Ford, Kenneth Haiko, Kenneth J. Hickey, Michael P. Kompothecras, Gary Mehta, Ravindra V. Newton, Lloyd W. Spulak, Gary J. Webb, Graham	06/30/2008 07/30/2009 06/30/2009 06/30/2008 06/30/2008 06/30/2009 06/30/2008 06/30/2009 06/30/2011 06/30/2009 06/30/2009	Appointees: Buermann, Eric Dauray, Charles J. Estenoz, Shannon A. Meeker, Melissa L. Rooney, Patrick	03/01/2011 03/01/2011 03/01/2010 03/01/2009 03/01/2011
Board of Professional Surveyors and Mappers		Governing Board of the Southwest Florida Water Management District	
Appointees: Clodfelter, Mary Hanna Cooner, Jeffrey C. Lebron, Louis J.	10/31/2010 10/31/2009 10/31/2010	Appointees: Glass, Patricia M. Oakley, Ronald E.	03/02/2009 03/01/2011
Jacksonville Transportation Authority		Governing Board of the Suwannee River Water Management District	
Appointees: Cavendish, Michael R. Johns, A. J.	05/31/2011 05/31/2010	Appointees: Curtis, Donald R., Jr. Flagg, N. David	03/01/2011 03/01/2011
Board of Veterinary Medicine		As required by Rule 12.7(1), the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.	
Appointees: Dover, Henry B. Maxwell, Guy Ray O'Neil, Robert E. Vega, Sergio E.	10/31/2009 10/31/2008 10/31/2010 10/31/2009	After due consideration of the findings of such inquiry and the evidence presented at the public hearing, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommended pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes:	
Coastal Rivers Basin Board of the Southwest Florida Water Management District		(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;	
Appointee: Maggard, Randall "Randy"	03/01/2010	(2) Senate action on said appointments be taken prior to the adjournment of the 2008 Regular Session; and	
Manasota Basin Board of the Southwest Florida Water Management District		(3) there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.	
Appointees: Benac, Elizabeth O. Carraway, Mac	03/01/2010 03/01/2010	Respectfully Submitted, Lee Constantine, Chair	
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District		On motion by Senator Constantine, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:	
Appointee: Welsh, Susan	03/01/2010		
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District			
Appointee: Renfro, Chester "Chet" Lee	03/01/2010		
Withlacoochee River Basin Board of the Southwest Florida Water Management District			
Appointees: Baldwin, Martha Jane "Janey"	03/01/2010		

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

MOTION TO INTRODUCE BILL

Senator Fasano moved that the rules be waived to allow the introduction of a memorial to Congress relating to federal excise tax on gasoline, notwithstanding the fact that the final day had passed for introduction of bills.

The motion was adopted by two-thirds vote.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Saunders, by two-thirds vote **SB 1092** was withdrawn from the Committee on Health and Human Services Appropriations.

On motion by Senator Margolis, by two-thirds vote **SB 364** and **SB 436** were withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, March 27, 2008: CS for SB 1026, CS for SB 966, CS for SB 732, SB 874, CS for CS for SB 854

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Health Policy recommends the following pass: SB 846

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2574 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 2076 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Education Pre-K - 12 recommends the following pass: SB 642

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 1426

The bill was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 1360

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Health Regulation recommends the following pass: CS for SB 1012 with 1 amendment

The bill was referred to the Committee on Health Policy under the original reference.

The Special Master on Claims recommends the following pass: SB 38

The bill was referred to the Committee on Health Regulation under the original reference.

The Committee on Higher Education recommends the following pass: SB 2350

The bill was referred to the Committee on Higher Education Appropriations under the original reference.

The Special Master on Claims recommends the following pass: SB 34 with 1 amendment

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Finance and Tax recommends the following pass: SB 630; SB 1606; CS for SB 1978 with 4 amendments

The bills were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Education Pre-K - 12 recommends the following not pass: SB 2816

The bill was laid on the table.

The Committee on Regulated Industries recommends a committee substitute for the following: Senate Bills 2086 and 2498

The bills with committee substitute attached were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 2150

The bill with committee substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2470

The Committee on Transportation recommends a committee substitute for the following: SB 774

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 1722; SB 2006

The Committee on Judiciary recommends a committee substitute for the following: SB 756

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1398

The bill with committee substitute attached was referred to the Committee on Finance and Tax under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2156

The Committee on Commerce recommends a committee substitute for the following: SB 948

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1692

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 2712; SB 2714

The bills with committee substitutes attached were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB 1428

The bill with committee substitute attached was placed on the calendar.

The Special Master on Claims recommends the following not pass: SB 50

The bill was referred to the Committee on Community Affairs under the original reference.

The Special Master on Claims recommends the following not pass: SB 54

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Board of Trustees, Florida A & M University	
Appointee: Badger, Solomon L. III	01/06/2010
Board of Trustees, Florida State University	
Appointee: Busch-Transou, Susan	01/06/2013
Board of Trustees, Florida International University	
Appointee: Maury, Albert	01/06/2011
Board of Trustees, University of South Florida	
Appointee: Law, Rhea F.	01/06/2013

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Board of Governors:

Office and Appointment

Board of Trustees, Florida A & M University	
Appointees: Dent, Richard A. III	01/06/2011
Jennings, C. W.	01/06/2013
White, Karl E.	01/06/2011
Board of Trustees, University of Central Florida	
Appointee: Rosen, Harris	01/06/2013
Board of Trustees, University of Florida	
Appointee: Warrington, Alfred C. IV	01/06/2013
Board of Trustees, University of North Florida	
Appointee: Greene, A. Hugh	01/06/2010
Board of Trustees, University of South Florida	
Appointee: Engle, Walter E. "Gene"	01/06/2013
Board of Trustees, University of West Florida	
Appointee: Horner, Charles A.	01/06/2013

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Joyner—

CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the Victims of Wrongful Incarceration Compensation Act; defining the term "wrongfully incarcerated person"; requiring that courts determine whether certain persons are wrongfully incarcerated persons upon petition by such persons or their attorneys; providing requirements for such petition; providing for monetary compensation for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; requiring that the criminal record of a wrongfully incarcerated person be expunged; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation or benefits; requiring that a wrongfully incarcerated person seeking compensation or benefits as provided by the act apply with the Chief Financial Officer for such compensation or benefits; providing requirements and a deadline for such application; requiring that the Chief Financial Officer review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Chief Financial Officer process and review each completed application within a specified period; requiring that the Chief Financial Officer notify the claimant if he or she qualifies for benefits within a specified period; requiring that any compensation be paid within a specified period by specified means; requiring that a claimant receiving compensation sign a release before receiving such compensation; providing the terms of such release; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; authorizing the Department of Financial Services to adopt rules; providing for severability; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 774—A bill to be entitled An act relating to transportation; amending s. 337.0261, F.S.; providing definitions; providing legislative findings with respect to the need for construction aggregate materials; requiring a super majority vote by the local government decisionmaking body in order to deny approval of a construction aggregate materials mining site; providing for a final determination to be made by the Governor and Cabinet sitting as the Administration Commission if the local government does not approve or deny an application for construction aggregate materials mining activities after two meetings or 3 months; requiring that the Administration Commission determine whether the evidence supports approval; applying provisions of the Uniform Rules of Procedure to the proceedings; providing that the act does not limit challenges to or appeals of construction aggregate materials mining site approvals; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

By the Committee on Commerce; and Senator Oelrich—

CS for SB 1398—A bill to be entitled An act relating to tax credits for research and development; creating s. 220.194, F.S.; providing legislative findings; creating the research and development tax credit program; providing purposes for the program; defining the terms “base amount,” “business enterprise,” “qualified research expenses,” “manufacturing industry,” “transportation and warehousing industry,” “telecommunications industry,” “tourism industry,” “retail industry,” “research and development industry,” and “base period”; providing eligibility requirements for research and development tax credits; providing limitations regarding eligibility; providing an amount for such credit; providing a maximum amount of credit that may be taken during a single tax year; providing that any unused credit may be carried forward for a specified period; authorizing the sale or assignment of unused credit to certain taxpayers under certain conditions; requiring that a party to a sale or assignment file certain information and documents with the department; requiring that parties to a sale or assignment obtain the department’s approval before completing such sale or assignment; prohibiting the department from unreasonable withholding such approval; providing requirements for the use tax credits sold or assigned; limiting the total amount of tax credits that may be assigned in a calendar year; providing that applications for credits may be filed on or after a specified date; requiring that the credits be granted in the order in which applications are received; authorizing the department to adopt rules; amending s. 220.02, F.S.; revising legislative intent to include the research and development tax credit in the ordered list according to which credits against corporate income tax or franchise tax are applied; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; and Senator Fasano—

CS for CS for SB 1428—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term “compensation” for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contribu-

tions to be forwarded to the company and for interest to accrue; defining the term “participant’s gross monthly compensation” for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

By the Committee on Commerce; and Senators Baker, Crist and Lynn—

CS for SB 1692—A bill to be entitled An act relating to unauthorized copies of recordings; amending s. 540.11, F.S.; requiring a court to order a person who engages in the unauthorized sale, resale, rental, or transportation of certain recorded articles to make restitution to the owner who suffered injury resulting from the violation or to the trade association representing such owner; requiring that the amount of restitution be based on the average wholesale value of authorized articles corresponding to the number of unauthorized articles involved in the offense and investigative costs; revising the list of persons or entities that are exempt from the unauthorized sale, resale, rental, or transportation of recorded articles; providing an effective date.

By the Committee on Commerce; and Senator Joyner—

CS for SB 1722—A bill to be entitled An act relating to travel for commercial sexual purposes; amending s. 559.927, F.S.; defining the term “travel for commercial sexual purposes”; amending s. 559.928, F.S.; requiring the seller of travel to include in the initial registration documents, and in the annual affidavit to renew the registration, sent to the Department of Agriculture and Consumer Services a statement that the seller of travel does not offer for sale, facilitate, or promote travel services for commercial sexual purposes; providing that the department may deny or refuse to renew the registration of any seller of travel based upon a determination that the seller of travel has offered for sale, facilitated, advertised, or promoted travel services for commercial sexual purposes; amending s. 559.9335, F.S.; providing that an offer of sale, an advertisement, or a promotion of travel services for commercial sexual purposes is a violation of part IX of ch. 559, F.S.; amending s. 559.937, F.S.; providing that a seller of travel who offers for sale, facilitates, advertises, or promotes travel services for commercial sexual purposes commits a felony of the second degree; providing criminal penalties; authorizing a court to freeze the assets of a seller of travel who has or is about to commit such offense; providing procedures; providing an effective date.

By the Committee on Commerce; and Senators Diaz de la Portilla and Bullard—

CS for SB 2006—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; requiring that a license be revoked or suspended under certain circumstances; clarifying the meaning of “final disposition of the case” for purposes of suspending a license; requiring that a license be suspended until the licensee’s completion of any community supervision imposed by a court for any disqualifying crime; requiring that, under certain circumstances, a license be suspended or revoked, notwithstanding any provision to the contrary in ch. 120, F.S.; providing that a licensee may request an administrative hearing; requiring that the hearing be held in accordance with the provisions of ch. 120, F.S., and s. 120.57, F.S.; amending s. 790.115, F.S., relating to possessing or discharging a weapon on school property; conforming a cross-reference; amending s. 903.047, F.S.; requiring that a defendant surrender a license to the clerk of the court as a condition of pretrial release at the request of the prosecuting authority if the defendant is arrested for any crime that would require the Department of Agriculture and Consumer Services to deny, suspend, or revoke the license; requiring the Comprehensive Case Information System to develop a report of licensees who have surrendered their licenses and submit the report monthly to the department; providing an effective date.

By the Committee on Regulated Industries; and Senators Jones and Bennett—

CS for SB's 2086 and 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale

or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.019, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S.; revising to incorpo-

rate provisions of s. 498.019, F.S., relating to the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing effective dates.

By the Committee on Transportation; and Senator Bennett—

CS for SB 2150—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; revising the definition of “motor vehicle dealer” to authorize such dealers to apply for certificates of title to certain vehicles using a manufacturer’s statement of origin; eliminating exceptions; deleting a provision requiring that certain vehicles be titled as used vehicles; adding provisions pursuant to which the Department of Highway Safety and Motor Vehicle may deny, suspend, or revoke certain licenses; providing that a franchised motor vehicle dealer of the same line-make has a cause of action against a motor vehicle dealer who engages, with sufficient frequency so as to establish a pattern of wrongdoing, in the business of an unauthorized and unlawful additional motor vehicle dealership location as described by state law; providing for venue for such causes of action; creating s. 320.6425, F.S.; providing that certain activities or the fulfillment of certain criteria constitute the operation of an unlawful and additional motor vehicle dealership; defining the term “sale for retail purposes”; providing that certain actions by motor vehicle dealers constitute violations of state law; authorizing any same line-make motor vehicle dealer who suffers damages as a result of an unlawful and additional motor vehicle dealership location to seek damages; providing for the application and nonapplication of certain provisions of state law; providing an effective date.

By the Committees on Banking and Insurance; and Banking and Insurance—

CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of “retention,” “covered policy,” and “estimated claims-paying capacity” to account for the creation of the division; defining the terms “division,” “director,” “FHCF,” “fund,” and “board”; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer’s covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer’s records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid

to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of “board” to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

By the Committee on Regulated Industries; and Senator Deutch—

CS for SB 2470—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association’s board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to

obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.113, F.S.; revising application of provision relating to the material alteration or substantial additions to the common elements or to real property which is association property to apply to certain associations; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers during an emergency created by declared disaster; providing a limitation; providing an effective date.

By the Committee on Commerce; and Senators Fasano and Crist—

CS for SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carry forward of funds; exempting the trust fund from future review and termination or re-creation; providing a contingent effective date.

By the Committee on Commerce; and Senators Fasano and Crist—

CS for SB 2714—A bill to be entitled An act relating to economic development; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries

as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; providing a contingent effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alternative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S.; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring that a student charged with a violation of the code of student conduct which constitutes a serious criminal offense be reported to a law enforcement agency; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an appropriation; providing an effective date.

—was referred to the Committees on Judiciary; and Criminal and Civil Justice Appropriations.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 1690—A bill to be entitled An act relating to capital collateral representation; amending s. 27.7001, F.S.; establishing that the collateral representation system is a legislative branch entity; providing a legislative finding that not all capital cases are extraordinary or unusual; amending s. 27.701, F.S.; extending the term of years regional counsel are appointed to serve; providing a deadline on the appointment process; deleting the 2-year prohibition against former regional counsel running for state office or accepting another state appointment; requiring that regional counsel be appointed by and serve at the pleasure of the Commission on Capital Cases; removing provisions establishing a pilot program in the northern region of the state; amending s. 27.702, F.S.; clarifying the administrative roles and functions of the Justice Administrative Commission, the Commission on Capital Cases, and the

Capital Collateral Regional Counsel; amending s. 27.709, F.S.; increasing and revising the membership of the Commission on Capital Cases; relocating the commission from the Office of Legislative Services to the Justice Administrative Commission for purposes of administration; authorizing the commission to sponsor programs of continuing legal education on capital cases; authorizing the commission to issue subpoenas and hold hearings it considers appropriate for the administration of justice in capital cases; authorizing the commission to terminate the appointment of a capital collateral regional counsel before the end of the counsel's term; amending s. 27.710, F.S.; revising the criteria required for an attorney to be eligible to be placed on the registry of attorneys qualified to represent defendants in postconviction capital collateral proceedings; providing certain limited exceptions; requiring attorneys to sign a contract with the Chief Financial Officer in order to receive funds from the state; requiring each private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; providing for removal and reinstatement to the registry of attorneys; amending s. 27.711, F.S.; providing for terms and conditions for appointment of counsel in postconviction capital collateral proceedings; providing for pro bono attorneys to receive reimbursement for certain specified expenses; limiting representation by a court-appointed attorney to seven defendants; prohibiting an attorney from entering into an employment contract with the offices of the Capital Collateral Regional Counsel if he or she represents seven or more defendants in capital collateral litigation; requiring a trial court judge who proposes to award attorney's fees in excess of those set forth in law to make written findings of fact that state the extraordinary nature of the expenditures of time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases and how the case is unusual; reenacting s. 27.7002, F.S., relating to the limitation of cases on collateral representation, to incorporate the amendments made to ss. 27.710 and 27.711, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Operations; Criminal and Civil Justice Appropriations; and Rules.

By the Committee on Regulated Industries; and Senator Deutch—

CS for SB 2470—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance

upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicommunity association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicommunity association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.113, F.S.; revising application of provision relating to the material alteration or substantial additions to the common elements or to real property which is association property to apply to certain associations; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers during an emergency created by declared disaster; providing a limitation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Judiciary.

ENROLLING REPORTS

SCR 2930 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 27, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 26 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—CS for SB 706; Bennett—CS for SB 1964; Bulard—SB 2468; Crist—SB 994, CS for SB 2712, CS for SB 2714, SB 2778; Dawson—SB 446, SB 500, SB 768, SB 2468; Fasano—SB 2320, SB 2324; Lynn—CS for SB 1116; Storms—SB 1968

RECESS

On motion by Senator King, the Senate recessed at 10:35 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:30 p.m., Wednesday, April 2 or upon call of the President.